

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY PATENT APPLICATION TRANSMITTAL



ASSISTANT COMMISSIONER OF PATENTS
Box Patent Application
Washington, D.C. 20231

02-08-01

Attorney Docket No. 13054.01600
Prior Application Number:
Art Unit:
Examiner:
PTO Customer Number:

Sir:

Transmitted herewith for filing is a utility patent application of

Francis C. Szoka, Jr., 45 Mendoza Avenue, San Francisco, CA 94116

Xin Guo,

J1036 U.S. PRO
09/778388
02/07/01

for: pH SENSITIVE LIPIDS BASED ON ORTHO ESTER LINKERS, COMPOSITION AND
METHOD

ENCLOSED are the following:

1. Specification, abstract and claims of ___ pages.
2. 19 sheets of ___ formal informal drawings No drawings.
3. Declaration (original or copy) by the named inventor(s) - unsigned
4. Preliminary Amendment
5. Information Disclosure Statement
6. Other: Request And Certification Under 35 U.S.C. 122(b)(2)(B)(i).

NOTE the following:

7. Applicant is a small entity. - 50% Filing Fee Reduction (if applicable)
8. The prior application is assigned to
9. This application is a:
 Continuation Divisional Continuation-in-Part (CIP) of Prior Application

Filed:

10. Priority of the following application(s) is (are) claimed under 35 U.S.C. 119:

Serial No.	Date Filed	Country	<u>Certified Copy of Priority Doc. Filed</u>	
			USSN or PCT#	Date

11. An Extension of Time is filed concurrently herewith for the parent application.
12. Cancel claims _____ prior to calculation of the filing fee.

FILING FEE: calculated below after accounting for any preliminary amendment or claims cancellations if noted above.

<input checked="" type="checkbox"/>	Total Claims	52	Total Claims Subject to Fees: 32	\$576.00
<input checked="" type="checkbox"/>	Independent Claims	6	Total Claims Subject to Fees: 3	\$240.00
<input type="checkbox"/>	Multiple Dependent Claims			\$
<input checked="" type="checkbox"/>	Basic Filing Fee			\$710.00
<input type="checkbox"/>	Extension Fees			\$
	Sub-Total			\$1,526.00
<input checked="" type="checkbox"/>	Less Small Entity Fee Reduction			\$763.00
<input type="checkbox"/>	Assignment Recordal Fees			\$
	Total Fees			\$763.00

Check(s) no. ____ in the amount of \$____ is enclosed (must at least cover the basic fee). If no check or an insufficient check is enclosed and a fee is due herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 03-3821, referencing Attorney Docket No. 13043.01600. A duplicate of this sheet is enclosed.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or 1.17 to Deposit Account No. 03-3821, referencing Attorney Docket No. 13054.01600. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

CROSBY, HEAFEY, ROACH & MAY

By: Malcolm B. Wittenberg

Registration No.: 27,028

Date: February 7, 2001

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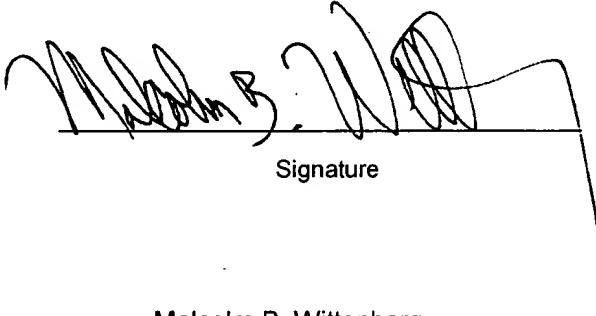
**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Francis C. Szoka, Jr.
Title	pH Sensitive Lipids Based On Ortho Ester Linkers, Composition And Method
Atty Docket Number	13054.01600

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 7, 2001

Date



Signature

Malcolm B. Wittenberg

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.